



General Assembly

January Session, 2015

Raised Bill No. 971

LCO No. 3542



Referred to Committee on PROGRAM REVIEW AND INVESTIGATIONS

Introduced by:
(PRI)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE
CONCERNING THE CRIMINAL USE OF DRONES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (5) of section 15-34 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015*):

4 (5) "Aircraft" means any contrivance used or designed for
5 navigation of or flight in air, including (A) airplanes, meaning power-
6 driven fixed-wing aircraft, heavier than air, supported by the dynamic
7 reaction of the air against their wings, (B) gliders, meaning heavier
8 than air aircraft, the free flight of which does not depend principally
9 upon a power-generating unit, and (C) rotorcraft, meaning power-
10 driven aircraft, heavier than air, supported during flight by one or
11 more rotors. "Aircraft" does not include unmanned aerial vehicles.

12 Sec. 2. Section 15-34 of the general statutes is amended by adding
13 subdivision (29) as follows (*Effective October 1, 2015*):

14 (NEW) (29) "Unmanned aerial vehicle" means any contrivance used
15 or designed for navigation of or flight in air that is power-driven and
16 operated without the possibility of direct human intervention from
17 within or on the contrivance.

18 Sec. 3. Subsection (a) of section 53a-189a of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective*
20 *October 1, 2015*):

21 (a) A person is guilty of voyeurism when, (1) with malice, such
22 person knowingly photographs, films, videotapes or otherwise records
23 the image of another person (A) without the knowledge and consent of
24 such other person, (B) while such other person is not in plain view, and
25 (C) under circumstances where such other person has a reasonable
26 expectation of privacy, or (2) with intent to arouse or satisfy the sexual
27 desire of such person or any other person, such person knowingly
28 photographs, films, videotapes or otherwise records the image of
29 another person (A) without the knowledge and consent of such other
30 person, (B) while such other person is not in plain view, and (C) under
31 circumstances where such other person has a reasonable expectation of
32 privacy. For purposes of this subsection, "not in plain view" includes a
33 view not otherwise obtainable that is made possible through the use of
34 technology that is electronic, as defined in section 1-331, or of an
35 unmanned aerial vehicle, as defined in subdivision (29) of section 15-
36 34, as amended by this act.

37 Sec. 4. (NEW) (*Effective October 1, 2015*) (a) Except as otherwise
38 provided by the general statutes, no person shall operate or use any
39 computer software or other technology, including, but not limited to,
40 an unmanned aerial vehicle, as defined in subdivision (29) of section
41 15-34 of the general statutes, as amended by this act, that allows a
42 person, when not physically present, to release mace, tear gas or any
43 like or similar deleterious agent or to remotely control a deadly
44 weapon, as defined in section 53a-3 of the general statutes, or an
45 explosive or incendiary device, as defined in section 53-206b of the

46 general statutes.

47 (b) Any person who violates subsection (a) of this section shall be
48 guilty of a class C felony.

49 Sec. 5. Subdivision (8) of subsection (a) of section 54-280 of the
50 general statutes is repealed and the following is substituted in lieu
51 thereof (*Effective October 1, 2015*):

52 (8) "Offense committed with a deadly weapon" or "offense" means:
53 (A) A violation of subsection (c) of section 2-1e, subsection (e) of
54 section 29-28, subsections (a) to (e), inclusive, or (i) of section 29-33,
55 section 29-34, subsection (a) of section 29-35, section 29-36, 29-36k, 29-
56 37a or 29-37e, subsection (c) of section 29-37g, section 29-37j, subsection
57 (b), (c) or (g) of section 53-202, section 53-202b, 53-202c, 53-202j, 53-
58 202k, 53-202l, 53-202aa or 53-206b, subsection (b) of section 53a-8,
59 section 53a-55a, 53a-56a, 53a-60a, 53a-60c, 53a-72b, 53a-92a, 53a-94a,
60 53a-102a, 53a-103a, 53a-211, 53a-212, 53a-216, 53a-217, 53a-217a, 53a-
61 217b, [or] 53a-217c or section 4 of this act, or a second or subsequent
62 violation of section 53-202g; or (B) a violation of any section of the
63 general statutes which constitutes a felony, as defined in section 53a-
64 25, provided the court makes a finding that, at the time of the offense,
65 the offender used a deadly weapon, or was armed with and threatened
66 the use of or displayed or represented by words or conduct that the
67 offender possessed a deadly weapon;

68 Sec. 6. (NEW) (*Effective October 1, 2015*) The presence of mace, tear
69 gas or any like or similar deleterious agent, a deadly weapon, as
70 defined in section 53a-3 of the general statutes, or an explosive or
71 incendiary device, as defined in section 53-206b of the general statutes,
72 on or in an unmanned aerial vehicle, as defined in subdivision (29) of
73 section 15-34 of the general statutes, as amended by this act, shall be
74 presumptive evidence of the possession or use of the weapon or device
75 by each person operating or using such unmanned aerial vehicle.

76 Sec. 7. (NEW) (*Effective October 1, 2015*) The presence of a controlled

77 substance, as defined in section 21a-240 of the general statutes, on or in
78 an unmanned aerial vehicle, as defined in subdivision (29) of section
79 15-34 of the general statutes, as amended by this act, shall be
80 presumptive evidence of the possession or use of the substance by each
81 person operating or using such unmanned aerial vehicle.

82 Sec. 8. Subsection (c) of section 12-455a of the general statutes is
83 repealed and the following is substituted in lieu thereof (*Effective*
84 *October 1, 2015*):

85 (c) "Motor vehicle" means any vehicle propelled or drawn by any
86 power other than muscular, except aircraft, unmanned aerial vehicles,
87 as defined in subdivision (29) of section 15-34, as amended by this act,
88 motorboats, road rollers, baggage trucks used about railroad stations,
89 electric battery-operated [wheel chairs] wheelchairs when operated by
90 physically handicapped persons at speeds not exceeding fifteen miles
91 per hour, agricultural tractors, farm implements and such vehicles as
92 run only upon rails or tracks;

93 Sec. 9. Subdivision (53) of section 14-1 of the general statutes is
94 repealed and the following is substituted in lieu thereof (*Effective*
95 *October 1, 2015*):

96 (53) "Motor vehicle" means any vehicle propelled or drawn by any
97 nonmuscular power, except aircraft, unmanned aerial vehicles, as
98 defined in subdivision (29) of section 15-34, as amended by this act,
99 motor boats, road rollers, baggage trucks used about railroad stations
100 or other mass transit facilities, electric battery-operated [wheel chairs]
101 wheelchairs when operated by physically handicapped persons at
102 speeds not exceeding fifteen miles per hour, golf carts operated on
103 highways solely for the purpose of crossing from one part of the golf
104 course to another, golf-cart-type vehicles operated on roads or
105 highways on the grounds of state institutions by state employees,
106 agricultural tractors, farm implements, such vehicles as run only on
107 rails or tracks, self-propelled snow plows, snow blowers and lawn

108 mowers, when used for the purposes for which they were designed
 109 and operated at speeds not exceeding four miles per hour, whether or
 110 not the operator rides on or walks behind such equipment, motor-
 111 driven cycles as defined in section 14-286, special mobile equipment as
 112 defined in section 14-165, mini-motorcycles, as defined in section 14-
 113 289j, and any other vehicle not suitable for operation on a highway;

114 Sec. 10. Subdivision (20) of section 22a-134 of the general statutes is
 115 repealed and the following is substituted in lieu thereof (*Effective*
 116 *October 1, 2015*):

117 (20) "Vehicle" means any motorized device for conveying persons or
 118 objects except for an aircraft [,] or unmanned aerial vehicle, as defined
 119 in subdivision (29) of section 15-34, as amended by this act, or a boat,
 120 railroad car or engine, or farm tractor;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	15-34(5)
Sec. 2	<i>October 1, 2015</i>	15-34
Sec. 3	<i>October 1, 2015</i>	53a-189a(a)
Sec. 4	<i>October 1, 2015</i>	New section
Sec. 5	<i>October 1, 2015</i>	54-280(a)(8)
Sec. 6	<i>October 1, 2015</i>	New section
Sec. 7	<i>October 1, 2015</i>	New section
Sec. 8	<i>October 1, 2015</i>	12-455a(c)
Sec. 9	<i>October 1, 2015</i>	14-1(53)
Sec. 10	<i>October 1, 2015</i>	22a-134(20)

Statement of Purpose:

To implement the program review and investigations committee recommendations concerning the criminal use of drones.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]